

GAU 1772 \$

**CONTINUED PROSECUTION APPLICATION (CPA)**  
**REQUEST TRANSMITTAL**

*Submit an original, and a duplicate for fee processing.*  
*(Only for Continuation or Divisional applications under 37 C.F.R. §1.53(d))*

OCT 22 1998  
 PATENT & TRADEMARK OFFICE

#12  
 12-28-28  
 DOR

Address to: Assistant Commissioner for Patents Box CPA Washington, DC 20231	Attorney Docket No. 24180 044 001 First Named Inventor Deane E. Galloway Examiner Name C. Nold Group / Art Unit 1772 Express Mail Label No. EL096037659US
--	---

This is a request for a  continuation or  divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 08/899,410 filed on July 23, 1997, entitled **Multilayer Thermoplastic Films and Packages Made Therefrom**.

**NOTES**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR §1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371.

A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. §154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR § 1.53(d), but must be filed under 37 CFR § 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR § 1.78(a).

1.  Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the prior nonprovisional application.
2.  A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4)
  - a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:
  - b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4.  A new power of attorney or authorization of agent is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a.  PTO-1449
  - b.  Copies of IDS Citations

10/27/1998 RTSG/EAE 0000006 13/206  
 01 FC:12 RECD 0000006 13/206  
 02 FC:103 RECEIVED 0000006 13/206  
 03 FC:103 RECEIVED 0000006 13/206  
 04 FC:103 RECEIVED 0000006 13/206  
 05 FC:103 RECEIVED 0000006 13/206

CLAIM S	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	<b>TOTAL CLAIMS</b> (37 CFR 1.16(c) or (j))	21- 20* =	1	X \$22 =	\$22.00
	<b>INDEPENDENT CLAIMS</b> (37 CFR 1.16(b) or (i))	3- 3** =	0	X \$82 =	
	MULTIPLE DEPENDENT CLAIMS (if applicable)(37 CFR 1.16(d))			+ \$270 =	
				<b>BASIC FEE</b> (37 CFR §1.16)	790.00
			Total of above Calculations =		812.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				
				<b>TOTAL</b> =	\$812.00

## 6. Small entity status:

- a.  A small entity statement is enclosed
- b.  A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c.  Is no longer claimed.

## 7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 13-0206.

- a.  Fees required under 37 CFR 1.16.
- b.  Fees required under 37 CFR 1.17.
- c.  Fees required under 37 CFR 1.18.

8.  A check in the amount of \$\_\_\_\_\_ is enclosed.9.  New Attorney Docket Number, if desired*[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]*10. a.  Receipt For Facsimile Transmitted CPA (PTO/SB/29A)b.  Return Receipt Postcard (Should be specifically itemized, See MPEP 503)11.  Other: \_\_\_\_\_

**NOTE:** The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

## 12. NEW CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label	(Insert Customer No. or Attach bar code label here)			<input type="checkbox"/> or <input type="checkbox"/> New correspondence address below	
NAME	Margaret M. Duncan				
	McDermott, Will & Emery				
ADDRESS	227 West Monroe Street				
	Suite 4400				
CITY	Chicago	STATE	Illinois	ZIP CODE	60606
COUNTRY	USA	TELEPHONE	312-372-2000	FAX	312-984-7700

## 13. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Joy Ann G. Serauskas	REC'D BY GROUP 1 10/12/98
Signature	<i>Joy Ann G. Serauskas</i>	REC'D BY GROUP 1 10/12/98
Registration No. (Attorney/Agent)	27,952	REC'D BY GROUP 1 10/12/98
Date	October 22, 1998	REC'D BY GROUP 1 10/12/98